

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, AUGUST 5, 2004  
8:15 A.M.**

Commissioners Present: Ray Stevens, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Bob Workman  
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Kristy Mundt, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:15 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,  
JULY 29, 2004**

**MOTION:** Heier moved and Schorr seconded approval of the Staff Meeting minutes of July 29, 2004. Schorr, Stevens, Heier and Workman voted aye. Motion carried.

Hudkins arrived at 8:20 a.m.

**2 ADDITIONS TO THE AGENDA**

- A. Rural Studies Review Committee Membership
- B. Surplus Property at North 27<sup>th</sup> Street and Highway 34 (Exhibit A)
- C. Cheney Village Board Meeting
- D. Keno Funding

**MOTION:** Hudkins moved and Heier seconded approval of the additions to the agenda. Hudkins, Heier, Schorr, Workman and Stevens voted aye. Motion carried.

### 3 COMMISSIONER MEETING REPORTS

#### A. Officials Committee - Stevens, Heier

Stevens said Mike Brienzo, Public Works/Utilities, gave an overview of the Transportation Improvement Plan.

Hudkins asked that the Board receive a briefing on the plan next year, prior to its presentation to the Officials Committee.

#### B. Lincoln-Lancaster County Ecological Advisory Committee (EAC) - Heier

Heier said there was a report from the Subcommittee on Agricultural Lands (Exhibit B) and a presentation on Wilderness Park.

#### C. Juvenile Detention Center Community Advisory Committee - Heier

No report.

### 4 SHERIFF'S GARAGE - Bill Jarrett, Chief Deputy Sheriff; Don Killeen, County Property Manager; John Kay, Sinclair Hille & Associates Inc.

John Kay, Sinclair Hille & Associates Inc., presented five options for a garage facility for the Sheriff's Department and Emergency Management (Exhibit C). He said Options 3 and 4 are no longer viable options, due to their close proximity to overhead power lines.

General discussion followed with the following suggestions:

- Acquire the property north of Option 1 on Industrial Lake Drive
- Replace power line towers
- Place an intersect pole between the two towers to raise the wire elevation
- Bring in additional fill for Option 1 to allow for a larger building
- Move the building envelope in Option 5 to Option 4 and place it at an angle
- Locate the building south of County Engineer's building in the space currently used as the County Engineer's maintenance yard and move that equipment to the existing impound lot

**MOTION:** Hudkins moved and Workman seconded to direct Don Killeen, County Property Manager; and John Kay, Sinclair Hille & Associates Inc., to explore: 1) Acquiring land north of Option 1 on Industrial Lake Drive; and 2) Location of the garage in the space currently used as the County Engineer's maintenance yard and relocation of the Engineer's equipment to the existing impound lot, with a report back in two weeks. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

## ADMINISTRATIVE OFFICER REPORT

### B. Security Check-Point Staffing

Bill Jarrett, Chief Deputy Sheriff, reviewed plans to convert four of the eight part-time building check-point security positions to full-time, estimating the cost difference at \$1,400.

**MOTION:** Workman moved and Schorr seconded approval of the plans. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

#### **5 TRABERT HALL SPACE; ATTENTION CENTER LEASE** - Don Killeen, County Property Manager

##### **Trabert Hall Space**

Don Killeen, County Property Manager, recommended that Veterans Service/General Assistance and the County Attorney's Child Support Division be allowed to move into space that formerly served as office space for the Cornhusker State Games.

Schorr said Families First & Foremost (F<sup>3</sup>) has indicated a need for community meeting room space and asked that it be given consideration.

##### **Attention Center Lease**

The Board asked Killeen to include a triple net clause in CenterPointe's lease of the Old Juvenile Attention Center Building, 2220 South 10<sup>th</sup> Street. Killeen was also asked to track labor related to the demolition for inclusion in the renovation costs.

#### **6 DEVELOPMENTAL DISABILITIES FUNDING** - Dave Merrill, Region V Services Executive Director

Dave Merrill, Region V Services Executive Director, protested the Board's decision to terminate an agreement with Region V Services for services to county residents with developmental disabilities (see County Board of Commissioners Meeting minutes of July 27, 2004).

Hudkins objected to the following statement in the Region V Services, August Director's Report (Exhibit D):

*My understanding is that their concern was founded on the notion that they are providing funding but no oversight, a concern that was triggered by the tragedy that occurred with another provider here in Lincoln.*

Hudkins said the decision was strictly budgetary and asked Merrill to issue a correction.

Dave Kroeker, Budget and Fiscal Officer, identified the areas in which the State has reduced funding to the County (jail reimbursement, mental health services and aid to counties). He also stated that the County Attorney has issued an opinion that the funding of developmental disabilities is a State responsibility.

Hudkins said the Board looked at all areas of funding and cut \$2.4 million out of the budget.

Workman added that the County is up against the \$0.30 levy limit and had to look at unmandated functions.

Merrill said other counties have had to deal with the same factors.

Schorr said the Region V Governing Board approved the budget in June and the County made a commitment to funding. She asked the other members of the Board whether they would be willing to reinstate \$33,000 in funding for Region V Services and give a six month, rather than 60 day, termination notice.

The Board did not indicate an interest in doing so.

Merrill said it would be better to stay with the interlocal agreement and work with the Governing Board in setting funding.

Kroeker questioned whether the County is a party to that agreement.

Kerry Eagan, Chief Administrative Officer, said he does not believe it is because Lancaster County had the Lancaster Office of Mental Retardation (LOMR). He said the County went to the system of funding on a per capita basis (money follows the client) when LOMR was disbanded.

Heier asked Merrill how many clients will lose services through Region V Services as a result of the Board's decision.

Merrill said there will be no loss of services, rather reductions will be made in administration.

Merrill also presented Region V Services Profile, July 2004 (see Exhibit D) and census and per capita figures (Exhibit E).

**7 COUNTY FINAL PLAT NO. 03062, CEDAR GROVE ESTATES, SOUTH 176<sup>TH</sup> STREET AND OLD CHENEY ROAD** - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, gave an overview of County Final Plat No. 03062, Cedar Grove Estates, consisting of nine lots on property located at South 176<sup>th</sup> Street and Old Cheney Road (Exhibit F). He said there is a recommendation of conditional approval from Staff and the Planning Commission.

Stevens noted the recommendations of the Sidewalk, Roads and Trails Committee (SRT) and the proposed Rural-to-Urban Transition Streets (R.U.T.S.) Program and asked whether the County should look at acquiring an extra 10' of right-of-way on Old Cheney Road.

DeKalb said the R.U.T.S. program will apply to roads within the City's three-mile zoning jurisdiction that are scheduled for future improvements and said this property is outside of the growth tiers. He suggested that the Board take action beyond R.U.T.S. if it wants to require additional right-of-way on a county-wide basis.

**8 LABOR NEGOTIATIONS** - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager; Tom Fox, Deputy County Attorney

**MOTION:** Schorr moved and Heier seconded to enter Executive Session at 10:07 a.m. for discussion of labor negotiations. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

**MOTION:** Heier moved and Hudkins seconded to exit Executive Session at 10:22 a.m. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

**9 MICROCOMPUTER REQUESTS** - Dave Kroeker, Budget and Fiscal Officer; Ken Kuszak, Microcomputer/Network Support Coordinator for Information Services

Dave Kroeker, Budget and Fiscal Officer, reviewed P.C. Requests for FY05 (see agenda packet).

Norm Agena, County Assessor/Register of Deeds, appeared and adjusted his request from 37 to 30 P.C.'s.

Ken Kuszak, Microcomputer/Network Support Coordinator for Information Services, recommended adjusting two (2) 3.2 gigahertz P.C.'s to 3.0 gigahertz.

Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, appeared and said that shouldn't be a problem, provided the other specifications are met.

Kroeker estimated the total cost, with adjustments, at \$30,000 to \$32,000.

**MOTION:** Workman moved and Hudkins seconded to authorize thirty (30) computers utilizing 3.0 gigahertz. Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

Linda Sanchez-Masi, Chief Deputy Clerk of the District Court, appeared and said her office would like to purchase a scanner that is currently under lease. Two computers and monitors are also requested.

Simon Rezac, Clerk of the District Court's Office, appeared and said the computer upgrade is needed to operate the software.

**MOTION:** Hudkins moved and Heier seconded approval of the request. Workman, Schorr, Hudkins, Heier and Stevens voted aye. Motion carried.

**MOTION:** Hudkins moved and Schorr seconded approval of the remainder of the Microcomputer Fund requests, excluding approval of flat screen monitors for the Sheriff's Department.

Stevens said he has questions regarding the remaining requests and said age of equipment is not a sufficient reason for replacement.

Kroeker offered to provide more detailed information regarding the requests and to call the agencies in to answer questions.

Heier called the question.

**ROLL CALL:** Hudkins, Schorr and Workman voted aye. Heier and Stevens voted no. Motion carried.

## **10 ADMINISTRATIVE OFFICER REPORT**

### **A. In Lieu of Tax Payments for Nebraska Environmental Trust (NET) Fund**

Norm Agena, County Assessor/Register of Deeds, appeared and said he will set up the in lieu of tax payment. The money will go into the General Fund and will be distributed like other tax dollars.

B. Security Check-Point Staffing

Item moved forward on the agenda.

C. Recovery of Compensatory Time Under Federal Emergency Management Agency (FEMA) Reimbursement and County Commissioner Time (Hallam Storm/Tornado)

**MOTION:** Workman moved and Schorr seconded to seek recovery of a reasonable amount of compensatory time for Doug Ahlberg, Emergency Management Director; and Kerry Eagan, Chief Administrative Officer, from the Federal Emergency Management Agency (FEMA). Hudkins, Heier, Stevens, Schorr and Workman voted aye. Motion carried.

Gwen Thorpe, Deputy Chief Administrative Officer, said the County may qualify for reimbursement of time that Commissioners served in an official capacity and asked the Commissioners to provide her with the dates, location, time and mileage.

**ADDITIONS TO THE AGENDA**

A. Rural Studies Review Committee Membership

Heier said Eleanor Franke has declined appointment to the Rural Studies Review Committee.

Discussion took place regarding whether to proceed with appointment of a committee.

**MOTION:** Schorr moved and Workman seconded to schedule a work session to review the point system. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

Schorr proposed sending the Board's work product to the Acreage Resource Group for review and comment.

The Board concurred.

B. Surplus Property at North 27<sup>th</sup> Street and Highway 34 (Exhibit A)

Stevens said the State has declared its portion surplus.

Eagan suggested that the County purchase the State's portion, declare the land surplus and put it on the market.

### C. Cheney Village Board Meeting

Schorr said the Village of Cheney has asked whether it will be included in the rural signage.

Eagan said not unless it is on the county grid.

Schorr suggested that unincorporated villages be given the option of going on the county grid.

### D. Keno Funding

Workman said it appears that the Chair has given Kit Boesch, Human Services Administrator, permission to go to the City Council and ask it to fund the Keno Prevention Fund request from Planned Parenthood in its entirety (see County Board of Commissioners Meeting minutes of August 3, 2004). He said this disturbs him as it circumvents the County Board and its ability to control the Keno funds.

Stevens said that is incorrect. He said he suggested that the allocation process be handled in the same manner as the Joint Budget Committee (JBC). The Keno Fund Advisory Committee would recommend allocations and indicate whether funding should be through the County or City.

Workman said the rules require both bodies to approve the funding and said he will not support the proposal.

Schorr said it was the Advisory Committee's intent to have the funds reallocated in the next round.

## **11 ADJOURNMENT**

**MOTION:** Heier moved and Workman seconded to adjourn the meeting at 11:35 a.m. Hudkins, Heier, Workman, Schorr and Stevens voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk